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Remarks

Applicant has submitted herewith a newly executed Combined Declaration and Power of Attorney in the above application.

Reconsideration of this Application is respectfully requested.

Claims 1-4 are sought to be amended. Upon entry of the foregoing amendment, claims 1-20 are pending in the application, with 1 and 14 being the independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding objections and rejections.

Rejections under 35 U.S.C. § 102(e) and 103(a)

Claims 1, 2, 8, 9, 12, 14-16, and 19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,389,189 to Edwards ("Edwards"). Claims 3-7, 10, 11, 17, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,945,898 to Judy et al. ("Judy").

Claims 1 and 14 recite at least a reflective device having a cantilever that is used to direct an optical signal along a predetermined path between an input and an output. As is well known, a cantilever has one point secured so that it pivots about that point.

Edwards teaches using a sliding MEMS mirror 22 (see col. 4, lns. 8, 65, 67, and throughout the specification) that is slid perpendicularly, with respect to the light path, into and out of the light beam path. This is done using an actuator 25 that moves a slider 24 that slides MEMS mirror 22 perpendicularly, with respect to the light path, into and out of trench 15 (col 5, ln. 48 et seq.). No where in the specification, figures, or claims is a cantilever taught or suggested, as is asserted by the Examiner. If the Examiner disagrees, Applicants respectfully request that the Examiner is asked to specifically point out where a cantilever is taught.

Applicants assert a reflective device with a cantilever, as recited in claims 1 and 14, cannot be used in Edwards without destroying the teaching and operation of the applied reference. Edwards relies on the fact that MEMS mirror 22 is thin, small, and can slide perpendicularly, with respect to the light path, into and out of a relatively small area of trench 15 and into and out of the light path, such that MEMS mirror 22 is stored within and pushed out of

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and into and out of the light path, such that MEMS mirror 22 is stored within and pushed out of trench 15.

In contrast, a reflective device having a cantilever (which the Examiner asserts is taught by Judy) can only move parallel with respect to the light path in order to move into and out of the light path. This is because a reflective area of the cantilever is positioned such that the cantilever could only reflect light in Edwards if it moves into and out of the light path parallel to the light path. Hence, a cantilever cannot be positioned in trench 15 or anywhere else in Edwards without destroying its teaching.

Therefore, because Edwards' system will not function with a cantilever as taught by Judy, Applicants submit that neither Edwards alone or in obvious combination with Judy teaches of at least a reflective device having a cantilever that is used to direct an optical signal along a predetermined path between an input and an output. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejections. Also, at least based on their dependency from claims 1 and 14, claims 2-13 and 15-20 should also be found allowable over the applied references.

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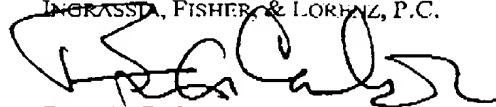
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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